



Permanent Stormwater Pollution Control Discharge Permit

Location

Permittee

Permit Number PW#####

Effective Date #####

Expiration Date #####

Pursuant to Chapter 14.26 of the Longmont Municipal Code ("Code"), (the "Permittee") is authorized to discharge from its permanent stormwater pollution controls identified in this Permit to the City's Municipal Separate Storm Sewer System (MS4), subject to the requirements specified in this Permit.

Discharge points, maintenance requirements, monitoring and reporting requirements and other conditions governing the discharge are as set forth herein. The Permittee is legally required to comply with the requirements of this Permit and all applicable Federal, State and local laws and regulations, whether or not they are specifically incorporated in the Permit. A violation of any of the terms of this Permit constitutes a violation of the Code and will subject the Permittee to enforcement actions as outlined in the Code.

This permit shall expire on 12/31/2019. It is the Permittee's duty to reapply for continuation of the permit at least thirty (30) days prior to the expiration date.

Signature _____ Date _____
FOR Dale Rademacher, Director
Public Works & Natural Resources

A. INSTALLATION, INSPECTION, OPERATION, AND MAINTENANCE REQUIREMENTS

Permanent stormwater pollution controls (also referred to as Best Management Practices, or BMPs) must be installed, operated, and maintained in perpetuity in a manner that allows them to function properly at the design capacity. The Permittee, or the Permittee's designated agent, shall maintain records of installation, operation and maintenance of the permanent stormwater pollution controls in the form described in Appendix A of this Permit.

1. **Installation:** Installation of the permanent stormwater pollution controls shall be recorded and certified by a professional engineer licensed in the State of Colorado. The certified record drawings are to be kept with the facility's O&M records at all times.
2. **Inspection:** The Permittee, at its sole expense, shall inspect the permanent stormwater pollution controls to ensure that they function safely and properly in accordance with the conditions for which they were designed. Inspections shall be performed at least once per year, and shall be documented on the inspection checklist, provided in Appendix A of this Permit. Deficiencies and corrective actions shall be noted in the inspection report.
3. **Maintenance, Repair and Replacement:** The Permittee, at its sole expense, shall maintain, repair and replace the permanent stormwater pollution controls as needed to ensure that they function properly for the conditions for which they were designed. This includes all pipes, structures, improvements, and vegetation related to water quality control. All maintenance activities will comply with City, state, and federal laws and regulations, including those pertaining to confined space and waste disposal methods. Maintenance shall be performed in accordance with the procedures in the Appendix of this Permit, unless other maintenance procedures have been approved by the City.
4. **Failure to Maintain Facilities:** If the Permittee fails to maintain the permanent stormwater pollution controls, the City may enter onto the Property and take whatever steps it deems necessary to return them to a properly functioning state. This provision shall not be construed to allow the City to erect any permanent structure on the Property. The City is under no obligation to maintain or repair the permanent stormwater controls and in no event shall this permit be construed to impose any such obligation on the City.

If the City performs work of any nature to ensure proper functioning of the permanent stormwater pollution controls, or expends any funds in performance of said work, the Owner shall reimburse the City in accordance with the requirements of the Code.

B. MONITORING AND REPORTING REQUIREMENTS

1. **Monitoring and Reporting:** The owner shall submit an annual operation and maintenance report for the permanent stormwater pollution controls, including annual inspection reports, to the City in the form prescribed in the Appendix of this Permit, on or before January 31st of each year for the previous year's inspection, operation and maintenance activities. The report shall also include any remedial actions taken, how the actions were completed, who performed them, any problems encountered, and any required follow-up actions such as maintenance, repair or replacement. The report shall be submitted to:

City of Longmont
Public Works & Natural Resources
1100 S. Sherman St.
Longmont, CO 80501
Attn: Environmental Services

The City reserves the right to require the Permittee to monitor discharges to the City's MS4 from the permanent stormwater pollution controls to insure compliance with the requirements of this permit or local, State or Federal water pollution control requirements.

The City reserves the right to require the Permittee to report additional information as necessary to insure compliance with the permit.

C. GENERAL TERMS AND CONDITIONS

1. **Applicability:** This permit applies to permanent stormwater pollution controls that discharge to the City's Municipal Separate Storm Sewer System (MS4) and are owned, operated, and maintained by the Permittee.
2. **Compliance:** Stormwater discharges from permanent stormwater pollution controls shall not cause, have the reasonable potential to cause, or measurably contribute to an exceedance of any water quality standard, including narrative standards for water quality.
3. **Permit Holder/Permittee:** The Permittee is the owner of, and responsible for, the permanent stormwater pollution controls. The Permittee may designate another party to operate and maintain the stormwater pollution controls; however, the Permittee retains ultimate responsibility for the performance of that party.
4. **Responsible party and 24-hour Contact:** The Permittee shall identify and designate a person as the responsible party for complying with the terms and conditions of this permit. The responsible party shall be the 24-hour contact for the City for matters involving this permit. The responsible party is responsible for complying with the terms and conditions of this permit and of the operation and maintenance requirements in Appendix A of this Permit. The Permittee shall submit a permit modification request to the City of Longmont, in accordance with the requirements of this permit, for any change in responsible party or contact information.
5. **Operations and Maintenance Records:** The Permittee and/or responsible party shall keep the facility operation and maintenance records and inspection reports readily available in the form prescribed in Appendix A of this Permit. Copies of the records and the most recent inspection report, either hard copy or electronic, shall be made available to the City upon request.
6. **Severability:** The provisions of this permit are severable. If any provisions of this permit, or the application of any provision of this permit to any circumstance, are held invalid, the application of such provision to other circumstances and the application of the remainder of this permit shall not be affected.
7. **Right of Entry:** The City, its authorized agents and employees may enter the permitted site in order to determine compliance with chapter 14.26 of the Municipal Code or the terms and conditions of this permit.
8. **Enforcement:** Any violation of this permit or any federal, state, or local law may result in

enforcement action in accordance with Chapter 14.26 of the Municipal Code.

D. RENEWAL, MODIFICATION, TRANSFER, REASSIGNMENT AND TERMINATION OF PERMIT

1. **Permit Renewal:** It is the responsibility of the Permittee to apply for renewal of the permit 30 days prior to the permit's expiration date. An active permit is required for all permanent stormwater pollution controls that discharge to the City of Longmont's MS4.
2. **Permit Modifications. Revocation or Reissuance:**
 - a) Within seven days of becoming aware of any changes to the information provided on the original permit application, the Permittee shall submit an application for a permit modification to the City along with any other information requested by to the City to support the modification.
 - b) In accordance with Chapter 14.26 of the Municipal Code, the City may modify the terms and conditions of this permit to comply with changes in state, federal, or local requirements or regulations, or to further the purpose of Chapter 14.26 of the Municipal Code.
 - c) This permit may be modified to include additional requirements if such requirements are found to be necessary to reflect changes in site or operating conditions, protect the environment or public health or to comply with federal, state or local laws or regulations.
 - d) The City may modify, revoke and reissue, or terminate this permit with cause in accordance with the requirements of the City's Code or the implementing regulations
3. **Permit Transfer or Reassignment:** Within seven days of becoming aware of any changes in responsibility for complying with this permit, the Permittee shall submit a permit transfer application and any other requested information to the City.

Prior to the sale or other transfer of the property, the buyer (or transferee) shall submit a permit application with the revised information to the City acknowledging the existence of this Permit and the previous records of operation and maintenance records and agreeing to comply with the requirements of the Permit.

Permit Termination: This Permit will be terminated if the stormwater pollution controls are removed or are no longer discharging to the City's MS4. The Permittee shall submit a written request to terminate this permit and any other requested information to the City for approval of the request for termination.

E. DEFINITIONS

City: The City of Longmont, a municipal corporation of the state of Colorado.

Municipal Separate Storm Sewer System (MS4): Publicly-owned facilities by which stormwater is collected and conveyed, including, but not limited to any roads with drainage systems, municipal streets, gutters, curbs, catch basins, inlets, piped storm drains, pumping facilities, retention and detention basins, and natural and human-made or altered drainage ditches, channels, lakes, reservoirs and other drainage structures.

Pollutant or Pollution: Any substance that is harmful to humans, animals, public health, the environment, or that can degrade the quality of receiving waters, cause the receiving waters to violate the stream standards established by the State of Colorado, or affect beneficial uses of water. The term includes, but is not limited to, sediment, dredged spoil, rock, sand, silt, incinerator residue, ash; solid waste; sewage; wastes from industrial, commercial, domestic or agricultural sources; trash, litter, garbage or food waste; landscaping materials, lawn clippings, leaves, branches or other landscaping and yard debris; medical waste; wrecked or discarded equipment; radioactive materials; wastes that contain bacteria, viruses and other pathogens that pose a threat to human health; pet wastes; heat, surfactants, soaps, and cleaning products and wastes and residues from washing operations, including those that are biodegradable; oil and grease, petroleum hydrocarbons and antifreeze; metals; and toxic or hazardous wastes as defined by federal, state, or local laws and regulations, including biocides and pesticides.

Permanent Stormwater Pollution Controls: Also known as Best Management Practices, or BMPs. Facilities, techniques, processes, activities, or structures that are used on a permanent, ongoing basis, after completion of construction of a development to control runoff from developed areas to prevent or reduce pollutants in a stormwater discharge.

Stormwater: Precipitation-induced surface runoff.